

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

KELLY CALLAHAN,

Civil No. 3:15-cv-00754-AA

Plaintiff,

ORDER

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

AIKEN, Judge:

Plaintiff moves for an award of costs and also for attorney fees under the Equal Access to Justice Act (“EAJA”) (28 U.S.C. § 2412). Doc. 23. Defendant objects to any award, arguing that the position of the Commissioner was substantially justified. In the alternative, defendant requests the award to be reduced in light of the limited success obtained.

Upon review of the record and the prevailing caselaw in the District of Oregon, I find that the Commissioner’s position was not substantially justified with respect to the issue remanded by

the court. In addition, I find that the requested attorney fees are reasonable. Accordingly, plaintiff's Motion for Award of EAJA Fees (Doc. 23) is GRANTED, and plaintiff is awarded attorney fees in the amount of \$7,129.39.

IT IS SO ORDERED.

DATED this 15 day of February, 2017.

A handwritten signature in black ink, appearing to read "Ann Aiken", written over a horizontal line.

Ann Aiken
United States District Judge